

March 19, 1980

CONGRESSIONAL RECORD—HOUSE

H 1973

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, I only do so for the purpose of asking: would the Speaker entertain soon a quorum call or a motion for a call of the House?

The SPEAKER. The Chair would do so.

Mr. ROUSSELOT. I appreciate that. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Without objection, the resolution is agreed to.

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON S. 662, INCREASED PARTICIPATION IN INTER-AMERICAN DEVELOPMENT BANK, ASIAN DEVELOPMENT BANK, AND AFRICAN DEVELOPMENT FUND

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 662) to provide for increased participation by the United States in the Inter-American Development Bank, the Asian Development Bank, and the African Development Fund, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, if the gentleman could help me, I remember there were quite a few amendments on that bill when it was on the House floor. By agreeing to go to conference with the other body are we in any way jeopardizing our ability to stand fast for those fine amendments that were passed in the House Chamber?

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman.

Mr. GONZALEZ. We will not be able to do anything unless we do agree to have a conference. And then, naturally, we will take up the House position in lieu of the action taken by the House on that bill through amendments.

Mr. ROUSSELOT. Further reserving the right to object, the gentleman can assure us that he will stand very, very tough for the position and the many amendments that were passed by the House? Also that he will encourage the conferees to stand by those substantial votes that we had?

Mr. GONZALEZ. If the gentleman will yield further, I wish to assure the gentleman from California of my fealty and loyalty to the clearly expressed majority opinion of the House and the bill as passed by the House.

Mr. ROUSSELOT. I appreciate the gentleman's confirmation.

Mr. Speaker, you will be happy to learn that I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. REUSS, GONZALEZ, LAFALCE, CAVANAUGH, STANTON, and HYSE.

APPOINTMENT OF MEMBERS TO ATTEND THE FUNERAL OF THE LATE HONORABLE JOHN M. SLACK

The SPEAKER. Pursuant to House Resolution 511, the Chair appoints as members of the Funeral Committee of the Late Honorable John M. Slack the following Members on the part of the House:

Mr. STROGOS of West Virginia; Mr. O'NEILL of Massachusetts; Mr. WEAVER of Texas; Mr. MCKINNON of West Virginia; Mr. RYAN of West Virginia; Mr. WHITTEN of Mississippi; Mr. BENNETT of Florida; Mr. FARRIS of Kentucky; Mr. STOKES of Oklahoma; Mr. BOLAND of Massachusetts; Mr. CORTE of Massachusetts; Mr. ROSTENKOWSKI of Illinois; Mr. SMITH of Iowa; Mr. STRATTON of New York; Mr. ANDERSON of New York; Mr. MURPHY of New York; Mr. PATTEN of New Jersey; Mr. ROYAL of California; Mr. HAMILTON of Indiana; Mr. HANLEY of New York; Mr. McEWEN of New York; Mr. BEVILL of Alabama; Mr. MYERS of Indiana; Mr. ALEXANDER of Arkansas.

Mr. BLAGG of New York; Mr. CHAFFELL of Florida; Mr. COUGHLIN of Pennsylvania; Mr. PREYER of North Carolina; Mr. STOKES of Ohio; Mr. ORY of Wisconsin; Mr. McKAY of Utah; Mr. ROBINSON of Virginia; Mr. SPENCE of South Carolina; Mr. YOUNG of Florida; Mr. BURGENA of California; Mr. GINN of Georgia; Mr. MOAKLEY of Massachusetts; Mr. O'BRIEN of Illinois; Mrs. BOGGS of Louisiana; Mr. MURPHY of Pennsylvania; Mr. DUNCAN of Oregon; Mr. EARLY of Massachusetts; Mr. ZEPHERETT of New York; Mr. ETEL of Pennsylvania; Mr. HOLLENBECK of New Jersey; Mr. LIVINGSTON of Louisiana; Mr. CHENEY of Wyoming; Mr. SCHNEIDERMAN of Wisconsin; Mr. THOMAS of California.

If there are any other Members who would care to go to the funeral of John Slack, if they would kindly contact the Sergeant at Arms, the Chair would be happy to put them on the committee.

PERMISSION TO HAVE UNTIL MIDNIGHT FRIDAY, MARCH 21, 1980, TO FILE CONFERENCE REPORT ON S. 662, INCREASED PARTICIPATION IN INTER-AMERICAN DEVELOPMENT BANK, ASIAN DEVELOPMENT BANK, AND AFRICAN DEVELOPMENT FUND

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the managers may have until midnight Friday, March 21, 1980, to file a conference report on the Senate bill (S. 662) to provide for increased participation by the United States in the Inter-American Development Bank, the Asian Development Bank, and the African Development Fund.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

Washington, D.C.

March 19, 1980.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives,
Washington, D.C.

Dear Mr. Speaker: I have the honor to transmit herewith a sealed envelope from the White House received in the Clerk's Office at 11:55 a.m. on Wednesday, March 19, 1980, and said to contain a message from the President wherein he transmits the 1980 National Housing Production Report.

With kind regards, I am,

Sincerely,

ROMUALD L. HENSHAW, Jr.,
Clerk, House of Representatives.
By W. RAYMOND GALEY,
Deputy Clerk.

THE 1980 NATIONAL HOUSING PRODUCTION REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking, Finance and Urban Affairs.

(For message, see proceedings of the Senate of today, March 19, 1980.)

□ 1540

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

Washington, D.C.

March 19, 1980.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives,
Washington, D.C.

Dear Mr. Speaker: I have the honor to transmit herewith a sealed envelope from the White House received in the Clerk's Office at 11:55 a.m. on Wednesday, March 19, 1980, and said to contain a message from the President wherein he transmits the Eighth Annual Report on the Status of Federal Advisory Committees.

With kind regards, I am,

Sincerely,

ROMUALD L. HENSHAW, Jr.,
Clerk, House of Representatives.
By W. RAYMOND GALEY,
Deputy Clerk.

EIGHTH ANNUAL REPORT ON STATUS OF FEDERAL ADVISORY COMMITTEES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Government Operations.

(For message, see proceedings of the Senate of today, March 19, 1980.)

GENERAL ACCOUNTING OFFICE ACT OF 1979

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 24) an act to improve budget management and expenditure control by revising certain pro-

H 1974

CONGRESSIONAL RECORD—HOUSE

March 19, 1980

visions relating to the Comptroller General and the Inspectors General of the Departments of Energy and Health, Education, and Welfare, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause, and insert:

That this Act may be cited as the "General Accounting Office Act of 1980".

TITLE I—GENERAL ACCOUNTING OFFICE PROVISIONS

UNVOUCHERED EXPENDITURES

Sec. 101. Section 117 of the Budget Accounting Procedures Act of 1950 (31 U.S.C. 67) is amended by adding at the end thereof the following new subsection:

"(f) (1) Notwithstanding any provision of law which permits an expenditure to be accounted for solely on the approval, authorization, or certificate of the President of the United States or an official of an executive agency, the Comptroller General shall have access to such books, documents, papers, records, and other information relating to any such expenditure as may be necessary to enable him to determine whether the expenditure was, in fact, actually made and whether such expenditure was authorized by law. The provisions of this paragraph may be superseded only by a provision of law enacted after the date of enactment of this paragraph which specifically repeals or modifies the provisions of this paragraph. In the case of an expenditure under section 102, 103, 105(d) (1), (3), or (5), or 106(b) (2) or (3), of title 3, United States Code, the provisions of sections 102, 103, 105(d), and 106(b) of such title shall govern the examination of such expenditures by the Comptroller General in lieu of the provisions of this subsection.

"(2) With respect to any expenditure accounted for solely on the approval, authorization, or certificate of the President of the United States or an official of an executive agency and notwithstanding any provision of law, no officer or employee of the General Accounting Office may release the findings of its audit of such expenditure or disclose any books, documents, papers, records, or other information concerning such expenditures to anyone not an officer or employee of the General Accounting Office, except to the President or the head of the agency concerned or, in the case of unresolved discrepancies, to the Committee on Governmental Affairs of the Senate, the Committee on Government Operations of the House of Representatives, and to the Committees of the House and the Senate having legislative or appropriations oversight with respect to the expenditure in question.

"(3) (A) Nothing in this subsection shall be construed as affecting the authority contained in section 8(b) of the Central Intelligence Agency Act of 1949.

"(B) The President may exempt from the provisions of paragraph (1) of this subsection financial transactions which relate to sensitive foreign intelligence or foreign counterintelligence activities, or sensitive law enforcement investigations if an audit proceeding pursuant to the provisions of paragraph (1) of this subsection would expose the identifying details of an active investigation or endanger the safety of investigative or domestic intelligence sources involved in such law enforcement investigations. An exemption under this subparagraph may be given for a class or category of financial transactions.

"(C) Information concerning financial transactions taken pursuant to section 8(b) of the Central Intelligence Agency Act of

1949 and information concerning financial transactions exempted from the provisions of paragraph (1) pursuant to subparagraph (B) shall be reviewable by the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

"(4) Not later than sixty days after the beginning of each fiscal year starting on or after October 1, 1980, the Director of the Office of Management and Budget shall submit to the chairmen of the Committees on the Budget and the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Governmental Affairs of the Senate, the Committee on Governmental Operations of the House of Representatives, and to the Comptroller General, a report listing every account potentially subject to audit by the Comptroller General under paragraph (1)."

ENFORCEMENT OF ACCESS TO RECORDS

Sec. 102. Section 313 of the Budget and Accounting Act, 1921 (31 U.S.C. 54), is amended by designating the existing paragraph as subsection (a) and by adding at the end the following new subsections:

"(b) (1) When access to any books, documents, papers, or records of any department or establishment is not made available within a reasonable period of time, the Comptroller General in his discretion may make a written request to the head of the department or establishment concerned. Any such request shall set forth any authority in addition to subsection (a) for such access and the reasons such access is desired. The head of the department or establishment concerned shall have a period of twenty days from the date of receipt to respond to the written request of the Comptroller General. The response shall describe any books, documents, papers, or records withheld and the reasons therefor. If within such twenty-day period full access to such books, documents, papers, or records has not been afforded the Comptroller General or any of his designated assistants or employees, the Comptroller General may file a written report of the matter with the President of the United States, the Director of the Office of Management and Budget, the Attorney General, the head of the department or establishment concerned, and with the Speaker of the House of Representatives and the President of the Senate.

"(2) Subject to subsection (d) the Comptroller General, through any attorney designated by him in writing, may, after twenty calendar days after the filing of a written report under paragraph (1), apply to the United States District Court for the District of Columbia for any order requiring the head of the department or establishment concerned to produce the material withheld. The Attorney General is authorized to represent the defendant official in such proceedings. Any failure to obey an order of the court under this subsection may be treated by the court as a contempt thereof.

"(c) (1) Subject to subsection (d), the Comptroller General may require by subpoena the production of books, records, correspondence, memoranda, papers, and documents of contractors, subcontractors, or other non-Federal persons to which he has access by law or by agreement of the non-Federal person from whom access is sought. Subpoenas may be issued under the signature of the Comptroller General and shall identify the material sought and the authority on which access is based. Service of a subpoena issued under this subsection may be made by anyone authorized by the Comptroller General (A) by delivering a copy thereof to the person named therein, or (B) by mailing a copy thereof by certified or registered mail, return receipt requested, addressed to such person at his residence, or principal place of business. A verified return by the person so serv-

ing the subpoena setting forth the manner of service or in the case of service by certified or registered mail, the return post office receipt signed by the person so served, shall be proof of service.

"(2) In the case of contumacy or refusal to obey a subpoena issued under paragraph (1) of this subsection, by any person who resides, is found, or transacts business within the jurisdiction of any district court of the United States, such court, upon application made by the Comptroller General through any attorney designated by him in writing, shall have jurisdiction to issue to such person an order requiring such person to produce the matter requested. Any failure of any such person to obey such order of the court may be treated by the court as a contempt thereof.

"(d) The Comptroller General may not bring an action under subsection (b) for an order or issue a subpoena under subsection (c) requiring the production of material—

"(1) if such material relates to activities designated by the President as being foreign intelligence or foreign counterintelligence activities;

"(2) if such material is specifically exempted from disclosure to the Comptroller General by statute provided that such statute (A) requires that the material be withheld from the Comptroller General in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding from the Comptroller General or refers to particular types of matters to be withheld from the Comptroller General; or

"(3) if the President or the Director of the Office of Management and Budget within twenty days after the filing of a report under subsection (b) (1), certifies in writing to the Comptroller General, the Speaker of the House of Representatives, and the President of the Senate, that (A) such material consists of matters which could be withheld from disclosure under section 552(b) (5) or 552(b) (7), of title 5 United States Code and (B) the disclosure of such material to the Comptroller General could reasonably be expected to substantially impair the operations of the Federal Government. Such certification shall be nondelegable by the President or by the Director of the Office of Management and Budget and shall be accompanied by a full explanation of the rationale therefor.

"(e) Any written information, books, documents, papers, or records made available to the Comptroller General pursuant to this section shall be subject to the same level of confidentiality as is required of the agency from which obtained. The officers and employees of the General Accounting Office shall be subject to the same penalties prescribed by statute for unauthorized disclosure or use as the officers or employees of the agency from which such material was obtained. Information described in section 552 (b) (6) of title 5 of the United States Code obtained by the Comptroller General shall be maintained in a manner designed to prevent unwarranted invasions of personal privacy.

"(f) Nothing in this section shall be construed as authority to withhold information from Congress."

AVAILABILITY OF DRAFT REPORTS

Sec. 103. Section 312 of the Budget and Accounting Act, 1921, (31 U.S.C. 53) is amended by adding at the end thereof the following new subsection:

"(f) (1) No portion of any draft report prepared by the General Accounting Office shall be submitted to any agency for comment thereon for a period in excess of thirty days unless the Comptroller General determines, upon a showing by such agency, that a longer period is necessary and is likely to result in improvement in the accuracy of such report.

March 19, 1980

CONGRESSIONAL RECORD—HOUSE

H 1975

"(2) Failure of an agency to return comments by the conclusion of the comment period established under paragraph (1) of this subsection shall not result in the delayed delivery of any such report.

"(3) Whenever an agency is requested to comment on a draft report, the Comptroller General shall—

"(A) in the case of any report initiated pursuant to subsection (b) of this section or otherwise, at the request of either House of Congress or by any committee or member thereof, make such draft report available on request to such House, committee, or member; or

"(B) in the case of any other report, make such draft report available on request to the Committee on Governmental Affairs of the Senate and to the Committee on Government Operations of the House.

"(4) The Comptroller General shall prepare and issue with the final version of any report of the General Accounting Office a statement of (A) any significant changes from any prior drafts of such report, in the findings, conclusions, or recommendations which were based on an agency's comments on such a draft, and (B) the reasons for making such changes.

"(5) Procedures followed pursuant to this subsection shall be subject to statutory and Executive order guidelines for the handling and storage of classified information and material."

APPOINTMENT OF THE COMPTROLLER GENERAL AND THE DEPUTY COMPTROLLER GENERAL

Sec. 104. (a) Section 303 of the Budget and Accounting Act, 1921 (31 U.S.C. 42) is amended by inserting "(a)" before "There" and by adding at the end thereof the following new subsection:

"(b) (1) Whenever, after the date of enactment of this subsection, a vacancy occurs in the Office of Comptroller General or in the Office of Deputy Comptroller General, there is established a commission to recommend individuals to the President for appointment to the vacant office. Any such commission shall consist of—

"(A) the Speaker of the House of Representatives,

"(B) the President pro tempore of the Senate,

"(C) the majority and minority leaders of the House of Representatives and the Senate,

"(D) the chairman and ranking minority member of the Committee on Government Operations of the House of Representatives and of the Committee on Governmental Affairs of the Senate, and

"(E) in the case of a vacancy in the Office of Deputy Comptroller General, the Comptroller General of the United States.

"(2) Any commission established under paragraph (1) shall submit to the President for consideration the names of not less than three persons for the Office of Comptroller General. The President, within his discretion, may request that additional names be submitted."

(b) (1) The first paragraph of section 303 of such Act (31 U.S.C. 43) is amended by striking out the first sentence and inserting in lieu thereof the following: "Except as otherwise provided in this section, the Comptroller General shall hold office for fifteen years and the Deputy Comptroller General shall hold office from the date of his appointment until the date on which an individual is appointed to fill a vacancy in the Office of Comptroller General. The Deputy Comptroller General may continue to serve until his successor is appointed."

(2) The amendment made by paragraph (1) shall not apply to the person occupying the position of Deputy Comptroller General on the date of enactment of this Act, but shall apply with respect to any vacancy in such position occurring on or after such date, and shall apply to any person appointed to fill such a vacancy.

TITLE II—CONFORMING AMENDMENTS WITH RESPECT TO THE INSPECTOR GENERAL OF THE DEPARTMENT OF ENERGY AND HEALTH, EDUCATION, AND WELFARE

AMENDMENT TO THE ACT OF OCTOBER 15, 1976
Sec. 211. Section 203(a) of the Act of October 15, 1976 (90 Stat. 2449; 42 U.S.C. 203a), is amended to read as follows:

"(b) In carrying out the responsibilities specified in subsection (a) (1), the Inspector General shall—

"(1) comply with standards established by the Comptroller General of the United States for audits of Federal establishments, organizations, programs, activities, and functions;

"(2) establish guidelines for determining the appropriate use of non-Federal auditors;

"(3) take appropriate steps to assure that any work performed by non-Federal auditors complies with the standards established by the Comptroller General as described in paragraph (1); and

"(4) shall report expeditiously to the Attorney General whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal criminal law."

AMENDMENT TO THE DEPARTMENT OF ENERGY ORGANIZATION ACT

Sec. 202. Section 204 of the Department of Energy Organization Act (42 U.S.C. 7192) is amended by adding at the end thereof the following new subsections:

"(h) In carrying out the responsibilities specified in subsection (a) (1), the Inspector General shall—

"(1) comply with standards established by the Comptroller General of the United States for audits of Federal establishments, organizations, programs, activities, and functions;

"(2) establish guidelines for determining the appropriate use of non-Federal auditors; and

"(3) take appropriate steps to assure that any work performed by non-Federal auditors complies with the standards established by the Comptroller General as described in paragraph (1).

"(i) In carrying out his duties and responsibilities under this section, the Inspector General shall give particular regard to the activities of the Comptroller General with a view toward avoiding duplication and insuring effective coordination and cooperation.

"(j) In carrying out his duties and responsibilities under this section, the Inspector General shall report expeditiously to the Attorney General whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal criminal law."

Mr. BROOKS (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HORTON. Mr. Speaker, reserving the right to object, would the gentleman from Texas explain the content of the Senate amendment to H.R. 24.

Mr. BROOKS. If the gentleman will yield, most of the changes are minor language and technical changes. In addition, the Senate amendment adds a provision to the unvouchered expenditures section permitting exemption of financial transactions relating to sensitive law enforcement investigations and requiring the Director of OMB to submit a report of unvouchered accounts potentially subject to audit by the Comptroller General. In section 104, the Senate amendment prohibits the Comptroller General from bringing an action to enforce access

to records under two additional situations: First, if a statute absolutely requires withholding material; and second, if the President or Director of OMB certifies that the material is included in the internal memorandum or law enforcement exemptions of the Freedom of Information Act and that disclosure could reasonably be expected to substantially impair the operations of the Federal Government. It also requires that material obtained under the section be subject to the same level of confidentiality as is required of the agency from which it was obtained.

Mr. HORTON. Further reserving the right to object, Mr. Speaker, since the passage of H.R. 24 by the House, a vacancy has occurred in the Office of Deputy Comptroller General. In the understanding of the gentleman from Texas that the new procedure for selection of the Deputy Comptroller General which is provided for in section 104 of H.R. 24 would apply to the filling of this vacancy?

Mr. BROOKS. Yes; that is our intention. In addition, I have received a letter from the Director of OMB which reinforces this understanding. I agree with the interpretation contained in the attachment to the Director's letter and I include the letter and the attachment at this point.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

Washington, D.C., March 1, 1980.

Hon. JACK BROOKS,

Chairman, Committee on Government Operations, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: As you are aware, Deputy Comptroller General Robert F. Maher resigned effective February 28, 1980, and a vacancy therefore currently exists in that Office. H.R. 24 and its counterpart in the Senate, S. 1074 would, if enacted, change the statutory term and the procedures for appointment of the Deputy Comptroller General. It is not certain from the language of those bills whether these new procedures would apply to the filling of the existing vacancy in the Office of Deputy Comptroller General. I would urge that you offer the statement attached to this letter at the time of the consideration of the Senate amendments by the House to ensure that the new procedures, if enacted, would apply to filling the existing vacancy.

Sincerely,

JAMES T. MCINTYRE, Jr., Director.

ATTACHMENT

Section 104(b)(1) provides that the Comptroller General shall hold office for fifteen years, and the Deputy Comptroller General shall hold office from the date of his appointment until the date on which an individual is appointed to fill a vacancy in the Office of Comptroller General. The Deputy Comptroller General may continue to serve until his successor is appointed.

Section 104(b)(2) provides that the foregoing amendment shall not apply to the person occupying the position of Deputy Comptroller General on the date of enactment of this bill, but shall apply with respect to any vacancy in such position occurring on or after such date, and shall apply to any person appointed to fill such a vacancy. The question has arisen whether the phrase, "occurring on or after" enactment of the bill, is intended to mean "taking place on or after" enactment. This question arises because, at this particular time, there is already a vacancy in the office of the Deputy

H 1976

CONGRESSIONAL RECORD—HOUSE

March 19, 1980

Comptroller General. In this legislation the intended meaning of the phrase "occurring on or after" enactment is the same as "existing on or after" enactment, not the same as "taking place on or after" enactment. This use of the phrase "occurring on or after" enactment leads to the result that the person appointed to fill the presently existing vacancy in the office of Deputy Comptroller General would be covered by the provisions of § 104(b)(1). Accordingly, the person appointed to fill the presently existing vacancy in the office of Deputy Comptroller General will have a term of office beginning on the date of appointment and running until the date on which an individual is appointed to fill a vacancy in the Office of Comptroller General. The Deputy Comptroller General may continue to serve until his successor is appointed.

Mr. HORTON. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas (Mr. Brooks) that the Senate amendment be considered as read and printed in the RECORD?

There was no objection.

The SPEAKER. Is there objection to the initial request of the gentleman from Texas?

There was no objection.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. ROUSSELOT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 148]

Addabbo	Burlison	Early	Markey	Sabo
Akaka	Burton, John	Eckhardt	Marks	Satterfield
Albosta	Burton, Phillip	Edgar	Marlenee	Sawyer
Alexander	Butler	Edwards, Ala.	Marriott	Schroeder
Ambro	Byron	Edwards, Calif.	Martin	Schulze
Anderson, Calif.	Campbell	Edwards, Okla.	Matsui	Sebelius
Andrews, N. Dak.	Carney	Emery	Mattox	Seiberling
Annuzio	Carr	Engelish	Mavroules	Sensenbrenner
Ashbrook	Carter	Erdahl	Mazzoli	Shannon
Atkinson	Cavanaugh	Ernenborn	Mica	Sharp
AuCoin	Chappell	Ertel	Michel	Shelby
Badham	Cheney	Evans, Ga.	Mikulski	Shumway
Bafalis	Chisholm	Evans, Ind.	Miller, Calif.	Shuster
Bailey	Clausen	Fary	Miller, Ohio	Simon
Barnard	Cleveland	Fascell	Mineta	Skelton
Bauman	Clinger	Fazio	Minish	Smith, Iowa
Beard, R.I.	Coebo	Fenwick	Mitchell, Md.	Smith, Nebr.
Beard, Tenn.	Coleman	Ferraro	Mitchell, N.Y.	Snowe
Bedell	Collins, Tex.	Findley	Moakley	Snyder
Benjamin	Conable	Fisher	Moffett	Solarz
Bennett	Conyers	Flippo	Mollohan	Solomon
Bereuter	Corcoran	Florio	Montgomery	Spellman
Bethune	Corman	Foley	Moore	Spence
Bevill	Cotter	Ford, Mich.	Moorhead, Calif.	St Germain
Blaggi	Coughlin	Ford, Tenn.	Motti	Stack
Bingham	Courter	Forsythe	Murphy, Pa.	Staggers
Blanchard	Crane, Daniel	Fountain	Murtha	Stangeland
Boggs	Daniel, Dan	Frenzel	Myers, Ind.	Stanton
Boland	Daniel, R. W.	Frost	Natcher	Steed
Bolling	Danielson	Garcia	Nedzi	Stenholm
Boner	Dannemeyer	Gaydos	Nelson	Stockman
Bonior	Daschle	Gehardt	Nichols	Stokes
Bonker	Davis, Mich.	Gialmo	Nowak	Stratton
Bouquard	Davis, S.C.	Gilman	O'Brien	Studds
Bowen	de la Garza	Ginrich	Oaker	Stump
Brademas	Deckard	Ginn	Oberstar	Swift
Breaux	Dellums	Glickman	Obey	Symms
Brinkley	Derrick	Goldwater	Oettinger	Synar
Brodhead	Derwinski	Gonzales	Panetta	Tauke
Brooks	Devine	Goodling	Pashayan	Taylor
Broomfield	Dicks	Gore	Patten	Thomas
Brown, Calif.	Dixon	Gradison	Patterson	Thompson
Brown, Ohio	Donnelly	Gramm	Paul	Traxler
Broyhill	Dornan	Grassley	Pease	Tribble
Buchanan	Downey	Gray	Pepper	Ullman
Burgener	Drinan	Green	Perkins	Van Deerin
	Duncan, Oreg.	Grisham	Peterson	Vander Jagt
	Duncan, Tenn.	Guarini	Paul	Vank
			Pease	Volkmer
			Pepper	Walgren
			Perkins	Walker
			Peyser	Wampler
			Pickie	Watkins
			Porter	Waxman
			Pryer	Weaver
			Price	Weiss
			Pritchard	White
			Pursell	Whitehurst
			Quayle	Whitley
			Lee	Whittaker
			Rahall	Whitman
			Railsback	Williams, Mont.
			Ratchford	Williams, Ohio
			Regula	Wilson, Bob
			Reuss	Wilson, Tex.
			Rhodes	Winn
			Richmond	Wirth
			Rinaldo	Wolf
			Ritter	Wolpe
			Roberts	Wright
			Robinson	Wyatt
			Rodino	Wydler
			Roe	Wylie
			Rose	Yates
			Rosenthal	Yatron
			Rostenkowski	Young, Alaska
			Roth	Young, Fla.
			Roussellot	Young, Mo.
			Roybal	Zablocki
			Royer	Zeferetti
			Rudd	
			Runnels	
			Russo	

□ 1550

The SPEAKER pro tempore (Mr. MONTGOMERY). On this rollcall, 383 Members have recorded their presence by electronic device, a quorum.

Pursuant to the rule, further proceedings under the call are dispensed with.

□ 1600

APPOINTMENT OF CONFEREES ON S. 2222, EXTENDING TIME FOR INDIAN CLAIMS

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2222) to extend the time for commencing ac-

tions on behalf of an Indian tribe, band, or group, or on behalf of an individual Indian whose land is held in trust or restricted status, with Senate amendments thereto, insist on the House amendment and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, can the gentleman from California explain why this particular request is needed at this time?

Mr. DANIELSON. I will be glad to if the gentleman will yield?

Mr. ROUSSELOT. I will be glad to yield.

Mr. DANIELSON. The consent is needed because the Senate has requested a conference on the bill, S. 2222, which passed the House in a version different from that in which it passed the Senate. It is necessary, of course, for the two bodies to come together on agreed terms.

Mr. ROUSSELOT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? The Chair hears none, and, without objection, appoints the following conferees: Messrs. DANIELSON, MAZZOLI, HUGHES, HARRIS, BARNES, GLICKMAN, SYNAR, MOORHEAD of California, McCLORY, and KINDNESS.

There was no objection.

REPORT ON RESOLUTION PROVIDING FUNDS FOR EXPENSES OF INVESTIGATIONS AND STUDIES TO BE CONDUCTED BY SELECT COMMITTEE ON OUTER CONTINENTAL SHELF

Mr. MINISH, from the Committee on House Administration, submitted a privileged report (Rept. No. 96-834), on the resolution (H. Res. 610) providing funds for the investigations and studies to be conducted by the Select Committee on the Outer Continental Shelf, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF CONFEREES ON H.R. 10, RIGHTS OF INSTITUTIONALIZED PERSONS

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent that the House disagree to the amendment of the Senate to the bill (H.R. 10) to authorize actions for redress in cases involving deprivation of rights of institutionalized persons, and request a conference with the Senate thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin? The Chair hears none and, without objection, appoints the following conferees: Messrs. KASTENMEIER, DANIELSON, MAZZOLI, GUDGER, HARRIS, CARR, RAILSBACK, MOORHEAD of California, and SAWYER.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 5741, THE MORTGAGE SUBSIDY BOND TAX ACT OF 1979

Mr. FROST. Mr. Speaker, by direction of the Committee on Rules, I call up